

11-08-04

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/648,641

Filing Date: August 25, 2000

First Named Inventor: Ronda M. ALLEN

Group Art Unit: 1654

Examiner: Michael V. Meller

Confirmation Number: 5632

Attorney Docket Number: 04121.0165-00000

Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114:

### a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date]\_\_\_\_\_.
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date]\_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed:

- i. ☒ Amendment and Response to Final Office Action (17 pages, pages 1-17) with courtesy copy of one document (1 pg.)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b) (2 pages; pages 1 and 2)
- iv. ☒ PTO/SB/08 (1 page)
- v. ☒ Copies of eight (8) references
- vi. ☒ Other Replacement Drawings (3 sheets, Figures 1, 2, 3, and 4)
- vii. ☒ Petition for Two-Month Extension of Time (1 page)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

### a. ☒ The filing fee is calculated as follows:

- i. ☒ -\$395.00-fee required under 37 C.F.R. § 1.17(e) 11/12/2004 CNGUYEN 00000091 09648641
- ii. ☒ Petition for extension of time for (Two Months) \$215.00

### b. ☒ Check in the amount of \$610.00 enclosed.

### c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

## Signature of Applicant, Attorney, or Agent Required

Name: Danielle M. Pasqualone

Reg. No.: 43,847

Signature: *Danielle Pasqualone*

Date: November 5, 2004

## CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Gina Simon

Express Mail Label No.: EV 533067825 US

Signature: *Gina Simon*

Date: November 5, 2004



Applicants respectfully request entry of the following amendments and consideration of the following remarks.

**Amendments to the Claims** are reflected in the listing of claims in this paper at pages 3-7.

**Replacement drawings** are discussed at page 8.

**Remarks/Arguments** follow the amendments section of this paper at page 9.